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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

PLANT PATENT APPLICATION (35 U.S.C. 161) DECLARATION (37 CFR 1.63)	Attorney Docket Number	BROKAW-40124
	First Named Inventor	Josef Stefan Köhna
	COMPLETE IF KNOWN	
	Application Number	/
	Filing Date	
<input checked="" type="checkbox"/> Declaration Submitted with Initial Filing OR <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Group Art Unit	
	Examiner Name	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the new and distinct variety of:

Avocado Tree

plant named: 'Merensky 2'

which is claimed and for which a plant patent is sought, the specification of which

☒ is attached hereto OR ☐ was filed on (MM/DD/YYYY) as United States

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claim, as amended by any amendment specifically referred to above.

I have asexually reproduced the plant to which this application applies.

☒ Said plant was found in a cultivated area (check this box for newly found plant only)

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.58, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Check Only if Priority Not Claimed	Certified Copy Attached?	
				YES	NO
	South Africa		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

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DECLARATION – Plant Patent Application

Direct all correspondence to: <input type="checkbox"/> Customer Number or Bar Code Label <input type="text"/> OR <input type="checkbox"/> Correspondence address below			
Name Aaron T. Borrowman			
Address Kelly Bauersfeld Lowry and Kelley LLP			
Address 6320 Canoga Avenue, Suite 1650			
City Woodland Hills	State CA	ZIP 91367	
Country US	Telephone 818-347-7900	Fax 818-340-2859	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name JOSEF STEFAN KÖHNE		Family Name or Surname	
Inventor's Signature <i>Josef Stefan Köhne</i>		Date 24.10.2001	
Residence: City Duivelskloof 8835	State	Country South Africa	Citizenship German
Mailing Address Westfalia Estate, P. O. Box 14			
Mailing Address			
City Duivelskloof	State	Zip 0835	Country South Africa
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country
<input type="checkbox"/> Additional inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto			

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Direct all correspondence to: <input type="checkbox"/> Customer Number or Bar Code Label <input type="text"/> OR <input type="checkbox"/> Correspondence address below			
Name Aaron T. Borrowman			
Address Kelly Bauersfeld Lowry and Kelley LLP			
Address 6320 Canoga Avenue, Suite 1650			
City Woodland Hills	State CA	ZIP 91367	
Country US	Telephone 818-347-7900	Fax 818-340-2859	
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Given Name JOSEF STEFAN KÖHNE		Family Name or Surname	
Inventor's Signature <i>Josef Stefan Köhne</i>		Date 24.10.2001	
Residence: City Duivelskloof 8835	State	Country South Africa	Citizenship German
Mailing Address Westfalia Estate, P. O. Box 14			
Mailing Address			
City Duivelskloof	State	Zip 0835	Country South Africa
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
Mailing Address			
City	State	Zip	Country
<input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto			